

From: Matt Covey
To: Microsoft ATR
Date: 1/25/02 9:11pm
Subject: Microsoft Settlement

I'm a software engineer with more than 20 years' experience developing for numerous platforms. I'd like to comment on the Proposed Final Judgment (PJF).

Specifically, I believe the PFJ has 3 serious flaws:

- a) it allows many exclusionary practices to continue
- b) it does not take any direct measures to reduce the "applications barrier to entry" faced by new entrants to the market
- c) it does not deny to the defendant the fruits of its statutory violation

I won't go into details - there are other public comments describing these points*. Instead, I would say that after reading the proposed settlement and its technical remedies, I see nothing that stops Microsoft from continuing its current style of business. These remedies will have very little real-world effect.

And if Microsoft is allowed to retain the benefits of its past misconduct and more importantly continue its anti-competitive behavior, how is this a settlement that benefits anyone except Microsoft? Certainly it doesn't benefit the consumer.

Sincerely,

Matt Covey
President, Classical Software

* Two examples: <http://www.kegel.com/remedy/>
<http://www.antitrustinstitute.org/recent/162.cfm>